

**MINUTES**  
**SANDY CITY COUNCIL MEETING**  
**Sandy City Hall - Council Chamber Room #211**  
**10000 Centennial Parkway**  
**Sandy, Utah 84070**

**October 3, 2006**

Meeting was commenced at 7:10 p.m.

**PRESENT:**

**Council Members:** Chairwoman Linda Martinez Saville, Vice Chairman Dennis Tenney, Bryant Anderson, Scott Cowdell, Steve Fairbanks, Chris McCandless, and Stephen Smith

**Mayor:** Tom Dolan

**Others in Attendance:** CAO Byron Jorgenson; City Attorney Walter Miller; Community Development Director Mike Coulam; Long-Range Planning Manager James Sorensen; Senior Planner Jim McNulty; Public Utilities Director Shane Pace; Public Works Director Rick Smith; Human Resources Director Brian Kelley; Management Analyst Korban Lee; Economic Development Director Randy Sant; Deputy to the Mayor John Hiskey; Fire Chief Don Chase; Parks & Recreation Director Nancy Shay; Administrative Services Director Art Hunter; Management Analyst Becky Bracken; Assistant CAO Scott Bond; Council Office Director Phil Glenn; Council Office Manager Naleen Wright

**1. OPENING REMARKS/PRAYER/PLEDGE:**

The Prayer was offered by Boy Scout Matthew Johnson of Troop #294, and the Pledge was led by Riley Nielsen, also of Troop #294.

**2. SPECIAL PRESENTATION:**

**PROCLAMATION: OCTOBER DOMESTIC VIOLENCE AWARENESS MONTH**

**Police Chief Stephen Chapman** assisted by **Council Chairwoman Linda Martinez Saville** read a resolution proclaiming October as Domestic Violence Awareness Month. Chief Chapman provided some very disturbing documentation on the number of domestic violence cases handled by the Sandy Police Department. Upsetting to most were the number of repeat offences at the same domicile. Police oft times return to the same home as many as nine times. The Chief advised the Council that a purple ribbon will be placed on a domestic violence banner each time an offense occurs during this month.

**3. CITIZEN(S) COMMENTS:**

a. None

**PUBLIC HEARING(S):**

- 4. Open Sandy City Budget - Carry-over Projects [Ref: Agenda Items 11- 27 ]**  
**Public Hearing to open the Sandy City Budget to increase the total appropriations in the General Fund, Capital Projects Funds, Trust Funds, Special Revenue Funds, Debt Service Funds, Landscape Maintenance Fund, Enterprise Funds, Redevelopment Agency Funds and the CDBG Operating Fund for Fiscal Year 2006-07.**

**DISCUSSION:** **Finance Director Art Hunter** explained that as part of the yearly budget process, we open the budget to take care of any carry-overs. Some of the funds are then recommended for departmental equipment management requests. This money was saved from last year's budget by various departments, and includes any unexpended funds from capital projects.

**Mayor Dolan** added that this carry-over budget process was begun about 10-11 years ago. The Mayor reported that he, Councilman Dennis Tenney and CAO Byron Jorgenson traveled to Hampton, Virginia to review a similar

program for departmental savings. Instead of having the usual "mad rush" at the end of the budget year when all departments have to either spend their remaining budget or forfeit it to the General Fund, this incentive program was adopted by our City Council as a policy, and was then implemented. The program allows departments to re-submit requests for equipment that didn't get budgeted this past year, and to have the opportunity to pay for those items from departmental savings accrued up to the end of the year.

**Art Hunter** explained that the Equipment Management Program has been used successfully by Sandy City. Now departments have time to bid out their requests and time to evaluate their needs on a longer term basis, instead of rushing purchasing requests through in June. Criteria has been set under which this money can be used as follows: for one-time needs, for equipment that will increase the productivity of a department, to improve computer services, for capital projects, for payroll management (money identified to pay out vacation time if someone retires or leaves the City), and for some fleet requests.

**Mr. Hunter** then went through and identified each requested funds transfer and explained the requests as they were submitted by each department. All questions posed by the Council about the budget transfers were answered.  
[Ref: Agenda Items 11- 27 ]

**Councilman Chris McCandless** stated that he wished to applaud all Sandy City Departments and Finance Staff for demonstrating their ability to save money in today's ever changing economy.

**The public hearing was opened and closed as there were no comments.**

**5. Craft Masters LLC Rezoning**

**Public Hearing to consider a request submitted by Robert Youngblood to rezone approximately 0.67 acres from the R-1-8 "Residential District" to the CN "Neighborhood Commercial District." The rezoning would help facilitate the development of a proposed professional office building. The City Council will also consider a PO "Professional Office District" for the property. The property is located at approximately 662 East 7800 South.**

**DISCUSSION:** Senior Planner **Jim McNulty** reported that Robert Youngblood, representing Craft Masters, LLC has requested to **rezone approximately 0.67 acres from the R-1-8 "Residential District" to the CN "Neighborhood Commercial District."** The property is located to the north of Union Middle School at approximately 662 East 7800 South.

Currently, there is a single-family home located on the property. The proposed rezoning would help facilitate the development of a small professional office building. The proposed office building would be home to Arrow Legal Solutions Law Offices. However, the applicant has indicated that alternative use opportunities such as retail outlets, business or financial services, medical and health care offices or a possible restaurant may also be considered on the site. The applicant has also provided a conceptual plan which indicates that the site can be developed to meet Development Code requirements.

Adjacent properties to the east include a strip commercial center located within a CN Zone, with properties located within an R-1-8 Residential Zone to the west. Union Middle School and a seminary building are located south of the property, with 7800 South Street and multi-family residential properties to the north of the site. Staff has determined that a PO "Professional Office District" may be a better alternative for the property. The PO Zone would limit future development of the site to professional office type uses.

The General Plan's Goals and Policies do not specifically address the PO Zone. However, the Sandy City Land Development Code shows the following:

*Section 15-04(K)*

- a. Purpose. The Professional Office (PO) Zone is established to provide an area for professional and business offices, non-retail services, and other uses not including merchandising, warehousing, and manufacturing with business hours consistent with those of contiguous property. Developments adjacent to residential areas shall have a residential look to enhance compatibility. Developments adjacent to commercial zones shall act to buffer less dense residential development or districts.*

The current zone allows for single-family residential development, which is probably not the best land use choice for the property. The subject property is close to the intersection of 7800 South and 700 East and is somewhat isolated from other single-family residential neighborhoods. The signalized intersection is very busy and will likely continue to see an increase in traffic in the future. A PO Zone will create a buffer between the existing strip commercial center to the east and residential properties to the north, south and west (Union Middle School & existing residences). The proposed CN Zone would be consistent with adjacent properties to the east, however, these businesses have frontage off of 700 East, and the subject property does not. Ingress/egress will be gained from 7800 South. This access is also shared with the existing seminary building south of the site. In addition, the subject property abuts a school, seminary building and multi-family residential dwelling units.

Zoning the subject property to PO would introduce a new zone to the area, but would also limit the potential uses on the site. Retail uses or a possible restaurant would not be permitted on the site. Also, the number of potential vehicle trips to and from the site would be reduced. The uses listed in the PO Zone would be very compatible (e.g. business or financial services, medical/health care offices, etc.) with the residential properties to the north, south and west, as well as the middle school. Staff feels that any development being proposed at the subject location must be developed to ensure compatibility with the surrounding area.

A neighborhood meeting was not conducted relative to this rezoning. However, the applicant did send out a letter to all property owners within 300 feet of the site explaining his proposal.

Consideration regarding any development on this property should take into account the following issues as part of the site plan review process:

- a. Access (including access to adjacent properties)
- b. Project compatibility
- c. Landscaping and buffering
- d. Signage and Lighting
- e. Parking
- f. Engineering Concerns (grading, drainage, etc.)

#### **STAFF RECOMMENDATION:**

Staff recommends that the subject property be rezoned from the R-1-8 "Residential District" to the PO "Professional Office District" based on the following findings:

1. The rezoning is in compliance with the Sandy City General Plan and Land Development Code.
2. The proposed PO Zone will help create a buffer between the strip commercial center to the east and the residential properties to the north, south and west.
3. Development at the subject location can be compatible with the surrounding area.

**Mr. McNulty** reported that the Planning Commission has forwarded a recommendation to the Council in support of rezoning this property to the PO Zone, based upon the findings found in the Staff Report. Mr. McNulty stated that the applicant, Mr. Youngblood was unable to attend this evening's meeting, but phoned to say he was fine with the PO Zone.

**The public hearing was opened and closed, as there were no comments.**

**MOTION:** Dennis Tenney made the motion that documents be prepared and brought back to the Council to adopt the PO "Professional Office Zone" as recommended by Planning Staff and the Planning Commission.

**SECOND:** Stephen Smith

**VOTE:** Tenney- Yes, Smith- Yes, Cowdell- Yes, Fairbanks- Yes,  
Anderson-Yes, McCandless- Yes, Saville- Yes

**MOTION PASSED**  
**7 In Favor**

6. **East Town Village Rezone**

**Public Hearing to consider a request submitted by Bill Peperone, representing Trophy Homes, to rezone approximately 7.72 acres from the RC "Regional Commercial District", and the R-1-7.5(HS) "Residential District" to the MU "Mixed Use District." The rezoning would help facilitate the development of a proposed mixed use project which would include condominiums, town homes, retail and office uses on the site. The property is located at approximately 8335 South State Street.**

**DISCUSSION:** Jim McNulty reported that Bill Peperone, representing Trophy Homes, has requested to **rezone approximately 7.72 acres from the RC "Regional Commercial District," and the R-1-7.5 (HS) "Residential District" to the MU "Mixed Use District."** The subject properties are located on the east side of State Street south of the Midvale City boundary at approximately 8335 South State Street. Access to the subject properties would be provided from State Street. Adjacent properties to the north (Midvale City) and south (Sandy City, already within a MU Zone) will also be a part of the overall East Town Village project. The applicant is requesting to rezone these properties to allow for a complete master plan of the area.

Representatives from Sandy City, Midvale City and UTA were involved in a master plan study for the overall project site in 1999. At that time, it was thought that the site would develop as a Transit-Oriented Development (TOD) and include a UTA light rail stop. Cal Thorpe Associates prepared a master plan for the site. Recently, UTA has determined that this area is no longer viable for a light rail stop. Staff has determined that a MU Zone designation for the property will allow the site to develop with similar concepts as envisioned back in 1999 (Cal Thorpe plan, TOD concepts, etc.).

The northern half of the proposed East Town Village project is located within Midvale City. As a result, the applicant has been working with Midvale City, over the past few months, to allow for a master plan of the site. It is our understanding that Midvale City has granted preliminary approval for their portion of the project. In addition, the applicant has met with Sandy City on a number of occasions to discuss the master plan and future development of the site. Please refer to conceptual master plan as previously mentioned.

The proposed East Town Village mixed use development would be comprised of 554 for-sale condominium units (stacked flats, town homes and urban town homes). This includes 232-units within Midvale City and 322-units within Sandy City. The project also includes a retail/commercial component. Approximately 1.08 acres of retail/commercial property are within Midvale City, with 1.45 acres being within Sandy City. The conceptual master plan indicates that these areas will be adjacent to State Street. Staff has also recommended to the applicant that some of the units adjacent to State Street and the primary entry to the site could be utilized as flex space units with live/work opportunities. The MU Zone requires a true mix of uses on the site. It is imperative that the applicant understand this and comply with City ordinances.

The purpose of a mixed use zone is to provide a zone to be used near City transportation corridors that allows a mix of specific land uses that are typically found separately in "mutually exclusive" zoning districts. Mixed use represents a departure from characteristic zoning to the extent that it encourages a combination of land uses which might normally be regarded as incompatible.

The **intent of the mixed use zone**, through the **development of a master site plan** is to create self-sustaining villages that become pedestrian friendly neighborhoods, in which residents may walk to work, to shopping, to recreational facilities, and have access to mass transit. These neighborhoods would provide a variety of housing opportunities and choices that include a range of household types, family sizes, and incomes. They would also **provide convenient pedestrian commercial services, employment opportunities**, and should be located in areas with existing, or probable future, multiple transportation choices.

Under the proposed MU Zone an opportunity would be available for the applicant to develop horizontal or vertical mixed use. The applicant is proposing to develop a project that will incorporate both horizontal and vertical mixed use. The proposed development is designed in a "village" manner allowing the mixed uses to be within close proximity to each other. As previously indicated, there will be a variety of unit types, style and price points within the project (e.g. stacked flats, town homes and urban town homes).

The proposed project would provide owner occupied housing, convenient commercial services and employment opportunities that would be located in an area with existing multiple transportation choices. **This type of project**

**under the MU Zone would also support and act as a catalyst for both existing and future commercial and retail tax base growth in the area, while at the same time reducing vehicular trips.**

The **MU Zone** would be an appropriate zone for a variety of properties including the subject property. The standards in the MU Zone make it possible for retail businesses to locate in areas where access is limited, as well as where it is not. The retail businesses developed under the MU Zone would be supported by on site residents and also by those who come from other locations to shop and enjoy the unique atmosphere this type of development would provide.

The proposed development could offer an opportunity for a neighborhood within walking distance to a mass transit hub, as well as neighborhood retail and services. Also, the applicant is proposing a UTA bus stop along the State Street frontage of the property. This would provide an alternative mode of transportation in the area.

On **August 24, 2006**, the applicant had a neighborhood meeting regarding the proposed development. The neighborhood issues relating to the project dealt with the original master plan for the site (Cal Thorpe TOD Plan - 1999), traffic impacts to adjacent neighborhood, noise and emission complaints relative to adjacent Maaco business. In talking with Marsha Millet, assistant to the Mayor, she felt that the general consensus was that the neighborhood liked the project, but was concerned with the traffic impact it might have on the neighborhood.

Consideration regarding any development on this property should take into account the following issues as part of the site plan review process:

- a. Access and public street requirements
- b. Traffic impacts
- c. Environmental concerns
- d. Landscaping, open space and buffering
- e. Signage, street lighting and other utility issues
- f. Project compatibility
- g. Coordination and cooperation between current and future potential property owners, developers and builders.
- h. Parking
- i. Public service access and requirements for emergency vehicles

#### **STAFF RECOMMENDATION:**

Staff recommends that the subject properties be rezoned from the RC "Regional Commercial District", and the R-1-7.5 (HS) "Residential District" to the MU "Mixed Use District" based on the following findings:

1. The proposed rezoning is in harmony with the goals of the Housing Element of the General Plan in providing a variety of housing types and choices.
2. The proposed project would provide housing, convenient commercial services and employment opportunities that would be located in an area with potential multiple transportation choices.
3. This type of project under the MU Zone would also support and act as a catalyst for both existing and future commercial and retail tax base growth in the area, while at the same time reducing vehicular trips.
4. This area has many unique characteristics that make it suitable for a mixed use development including a potential access to alternative transportation.
5. The actual built density for the subject property or any proposed development is based on the final site plan approval and how compatible the proposed development is with the physical layout of the property and all city ordinances.
6. Development of a high quality project would be required under the proposed MU District as it would require Planning Commission review and approval.
7. All site plan concerns as well as those listed in the staff report will be considered and worked out prior to site plan and subdivision approval.
8. The layout is different from the 1999 Cal Thorpe Plan, however, with a mixed use designation the current plan incorporates design concepts envisioned previously.
9. Development at the subject location can be compatible with the surrounding area.

The applicant, **Bill Peperone**, reported that they have submitted final plat approval for the 1<sup>st</sup> Phase to Midvale City. He indicated that he has held two neighborhood meetings; one here at Sandy Hall, and one at the site. Most of the concerns from these meetings involved the connection of 115 East. Mr. Peperone advised the residents that a report and evaluation would be given by the City's Traffic Engineer during the site plan review process held before the Planning Commission. He said they also discussed several ideas to reduce the noise impact. The Neighborhood Council also voiced concern with potential traffic impacts. Mr. Peperone supported the recommendation of Planning Staff and the Planning Commission to rezone the property to the MU "Mixed Use" Zone and to incorporate that approval with Planning Staff's nine findings.

**The public hearing was opened.**

- a. **Brian Scolle**, 8430 So. 115 East, second house down, voiced his concern for the "sheer number of houses proposed." He noted that the neighborhood has lower density housing, and that 554 homes would pose a significant impact. He opposed putting 115 East through, because of the density of the proposed project.
- b. **Peggy Bird**, 265 Main Street, agreed that the proposed housing density is too high. She stated that she would like to see more commercial development in this area, and noted that there is not a grocery store in Historic Sandy or on the Midvale side.
- c. **Jerry Anderson**, 8451 So 115 East, stated that he believes that more planning is needed. He noted that he has had problems with the ditch that runs down to the proposed rezoning, in the past. In addition, he also was opposed the continuance of 115 East, as it is too narrow to be extended.

**The public hearing was closed, as there were no further comments.**

**Council Discussion:**

**Councilman Scott Cowdell** stated that the Sandy City Council denied UTA's proposed transit/maintenance station at this location, because we felt it would be too noisy for the residents to the east. The property was also too small for that use. 115 East is too narrow as is Pioneer Avenue to be extended. These roads should not be used for just convenient exits, nor used during rush hour as main roads. Both streets are so narrow you cannot pass a car going either direction, if people are parked along the road. Mr. Cowdell stated that he would be very opposed as this would be a safety hazard, and not a necessity. He felt the developer should commit some of the State Street property for commercial uses. He said, "A lot of shoppers from this end of town goes to Midvale."

**Dennis Tenney** asked, "What is the density per acre, and will the units be owner occupied?"

**Bill Peperone** responded that the density in Sandy is 16.32 per acre. The density in Midvale is slightly higher. The homes will be sold to be owner occupied.

**Dennis Tenney** stated that, from a safety standpoint, he too was concerned with the proposed extension of 115 East. He suggested that 115 East could be gated off, and then used for emergencies only. He asked, "Will there be a traffic light at either end of development?"

**Mr. Peperone** replied, "There will be a traffic light to line up with Princeton."

**Dennis Tenney** stated that he was generally supportive of the proposed rezone. However, he voiced his concern that this development not destroy the tranquility of the abutting neighborhood.

**Stephen Smith** commented that a development proposal such as this is difficult to address only the rezoning without consideration of the conceptual site plan. He indicated that he shared the concerns of Dennis Tenney and Scott Cowdell. Mr. Smith noted the low percentage of retail shown by the plan by comparison to the proposed residential. If this development is to be marketed as a walkable community, it needs to have more commercial. Connectivity of 115 East is also a issue. In addition, a highly successful community garden will be lost. He stated

that he would encourage the Planning Commission to consider utilizing some of the open space shown by the site plan to maintain the community garden. (Perhaps in the triangular piece on the corner.) He stated that he was not opposed to the MU Zone, but he was concerned with the direction of the site plan and the impact it will have on Historic Sandy and the environment that is already there.

**MOTION:** Steve Fairbanks made the motion that documents be prepared to rezone the property to the MU Zone as recommended by Planning Staff. \* \*Note: Mr. Fairbanks agreed to amend his original motion to add the amendment as proposed by Scott Cowdell ie., to recommend that the Planning Commission not consider the connection of 115 East, if the recommendation is supported by the City's Traffic Engineer.

**SECOND:** Chris McCandless

**Question on the motion:** Scott Cowdell asked Mr. Fairbanks if he would consider \*\*amending his motion to recommend to the Planning Commission that they not approve the connection of 115 East, and that it be eliminated as an access to the development.

Mr. McCandless said he would amend his motion to reflect Mr. Cowdell's amendment, if the request was supported by the City's Traffic Engineer.

**VOTE:** Fairbanks- Yes, McCandless- Yes, Cowdell- Yes, Tenney- Yes,  
Smith- Yes, Anderson-Yes, Saville- Yes

**MOTION PASSED**  
7 in favor

7. **Gassman Rezoning**  
Public Hearing to consider a request submitted by Mr. John Gassman to rezone his property of approximately 5.03 acres from the R-1-40A "Residential District" to the R-1-20 "Residential District". The subject property is located at approximately 2115 East Pepperwood Drive [approximately 11800 South]. The rezoning would facilitate the development of a proposed 8 lot subdivision.

**DISCUSSION:** Long-Range Planning Manager James Sorensen reported that Mr. John Gassman submitted a request to rezone his property (approximately 5.03 acres) from the R-1-40A "Residential District" to the R-1-20 "Residential District". The subject property is located at approximately 2115 East Pepperwood Drive (approx. 10800 South). The rezoning would facilitate the development of a proposed 8 lot subdivision. A neighborhood meeting was conducted on August 31, 2006, to discuss the project.

The subject property was annexed into Sandy City in the early 1970's. As part of that process it was zoned to the A-1 District. The property was later rezoned to the R-1-40A District as part of the Bell Canyon Quadrant Rezonings. Adjacent parcels include an R-1-20 subdivision to the east that was approved several years ago as a PUD subdivision with lots as small as 15,000 square feet. The properties to the south and west are zoned R-1-40A and R-1-10. Parcels to the north are a Salt Lake County island.

Currently, the property has one residential dwelling located on the site. The applicant intends to demolish the existing dwelling and build a new home as part of the proposed 8 lot subdivision.

The applicant is requesting the rezoning in order to develop a proposed 8 lot subdivision. The proposed R-1-20 Zone would require that each lot be 20,000 square feet or greater. In most cases, this would provide equal or larger lots than what is adjacent to the subject property. The proposed rezoning and associated development would help preserve the character of the existing neighborhood.

Consideration regarding any development on this property should take into account the following issues as part of the subdivision process:

a. 30% slope issue (may effect the subdivision design)

- b. Access and public street requirements
- c. Environmental concerns (irrigation, drainage, etc.)
- d. Project compatibility
- e. Landscaping/preservation of mature site trees

**STAFF RECOMMENDATION:**

Staff recommends that the proposed Gassman Rezoning from the R-1-40A "Residential District" to the R-1-20 "Residential District" be approved based on the following findings:

- 1. The proposed rezoning is in harmony with the Sandy City General Plan and the Sandy City Development Code.
- 2. Development at the subject location can be compatible with the surrounding area.
- 3. Rezoning the property will help preserve the character of the neighborhood by having a larger lot subdivision.

The applicant **Mr. John Gassman** was present, but stated that he had no additional comments.

**The public hearing was opened.**

- a. **Mark Valentine**, 2167 High Ridge Lane, a Scout Master attending Council Meeting with his troop, stated that the proposed project is a neighboring property to his own. The rezoning to the R-1-20 District, would, in his opinion benefit the community. He said, "As a neighbor, I will speak in favor of the rezoning."

**The public hearing was closed.**

**Council Discussion:**

**Stephen Smith** asked if the developer would get eight full-sized building lots, when much of the property meets or exceeds the 30% slope. He added that it appeared by the topography map that half of the lots may not be in compliance with the 30% slope criteria.

**James Sorensen** indicated that he had visited the site, and there is a possibility that there may be setback issues with the 30% slope.

**Chris McCandless** asked, "Can't he excavate the property to make the grade better?" He noted that this is not virgin land, as the land and topography have been changed in the past. Mr. McCandless felt the developer should be able to change the grade where needed.

**Mike Coulam** stated that with the recommendation of the City Engineer, grading changes could perhaps be done.

**MOTION:** **Chris McCandless made the motion to have documents brought back to rezone his property of approximately 5.03 acres from the R-1-40A "Residential District" to the R-1-20 "Residential District".**

**SECOND:** **Dennis Tenney**

**VOTE:** **McCandless- Yes, Tenney- Yes, Cowdell- Yes, Fairbanks- Yes, Smith- Yes, Anderson-Yes, Saville- Yes**

**MOTION PASSED**  
**7 in favor**

**COUNCIL ITEMS:**

- 8. **Prince (Pulsipher) Annexation**  
**Resolution #06-63 C - indicating intent to annex an unincorporated area, setting a hearing to**



consider such an annexation, and directing publication of a hearing notice.

**MOTION:** Dennis Tenney made the motion to adopt Resolution #06-63 C - indicating intent to annex an unincorporated area, setting a hearing to consider such an annexation, and directing publication of a hearing notice.

**SECOND:** Chris McCandless

**VOTE:** Tenney- Yes, McCandless- Yes, Cowdell- Yes, Fairbanks- Yes, Smith- Yes, Anderson-Yes, Saville- Yes

**MOTION PASSED**

7 in favor

9. Verna Larson Annexation

Resolution #06-64 C - indicating intent to annex an unincorporated area, setting a hearing to consider such an annexation, and directing publication of a hearing notice.

**MOTION:** Dennis Tenney made the motion to adopt Resolution #06-64 C - indicating intent to annex an unincorporated area, setting a hearing to consider such an annexation, and directing publication of a hearing notice.

**SECOND:** Bryant Anderson

**VOTE:** Tenney- Yes, Anderson-Yes, Cowdell- Yes, Fairbanks- Yes, Smith- Yes, McCandless- Yes, Saville- Yes

**MOTION PASSED**

7 in favor

10. Administrative Code Amendments: Re: Appointed Officers & Employees

Ordinance #06 - 21 - amending Title 6, "Administrative Code" by adopting new Sections 6-7-3, 6-7-4, and 6-7-5 regarding Appointed Officers and Employees, replacing those existing sections; also providing legal clarifications, a supporting study, a saving clause for the ordinance and an effective date.

**MOTION:** Dennis Tenney made the motion to adopt Ordinance #06 - 21 - amending Title 6, "Administrative Code" by adopting new Sections 6-7-3, 6-7-4, and 6-7-5 regarding Appointed Officers and Employees, replacing those existing sections; also providing legal clarifications, a supporting study, a saving clause for the ordinance and an effective date.

**SECOND:** Chris McCandless

**VOTE:** Tenney- Yes, McCandless- Yes, Cowdell- Yes, Fairbanks- Yes, Smith- Yes, Anderson-Yes, Saville- Yes

**MOTION PASSED**

7 in favor

\*11. Increasing Total Appropriations within the Equipment Management Fund

Resolution #06-83 C - increasing total appropriations within the Equipment Management Fund.

**MOTION:** Dennis Tenney made the motion to adopt Resolution #06-83 C - increasing total appropriations within the Equipment Management Fund.

**SECOND:** Steve Fairbanks

**VOTE:** Tenney- Yes, Fairbanks- Yes, McCandless- Yes, Cowdell- Yes, Smith- Yes, Anderson-Yes, Saville- Yes

**MOTION PASSED**

7 in favor

- \*12. Increasing Total Appropriations within the General Fund [\$60,000]  
Resolution #06-84 C - increasing total appropriations within the General Fund.

MOTION: Dennis Tenney made the motion to adopt Resolution #06-84 C - increasing total appropriations within the General Fund.

SECOND: Scott Cowdell

VOTE: Tenney- Yes, Cowdell- Yes, McCandless- Yes, Fairbanks- Yes,  
Smith- Yes, Anderson-Yes, Saville- Yes

**MOTION PASSED**

7 in favor

13. Increasing Total Appropriations within the Payroll Management Fund [\$165,935]  
Resolution #06-68 C - increasing total appropriations within the Payroll Management Fund.

MOTION: Dennis Tenney made the motion to adopt Resolution #06-68 C - increasing total appropriations within the Payroll Management Fund.

SECOND: Scott Cowdell

VOTE: Tenney- Yes, Cowdell- Yes, McCandless- Yes, Fairbanks- Yes,  
Smith- Yes, Anderson-Yes, Saville- Yes

**MOTION PASSED**

7 in favor

14. Increasing Total Appropriations & Reappropriating Unexpended funds within the Capital Projects Fund  
Resolution #06-69 C - increasing total appropriations and reappropriating unexpended funds within the Capital Projects Fund.

MOTION: Dennis Tenney made the motion to adopt Resolution #06-69 C - increasing total appropriations and reappropriating unexpended funds within the Capital Projects Fund as amended.

SECOND: Scott Cowdell

VOTE: Tenney- Yes, Cowdell- Yes, McCandless- Yes, Fairbanks- Yes,  
Smith- Yes, Anderson-Yes, Saville- Yes

**MOTION PASSED**

7 in favor

15. Increasing Total Appropriations within the Community Events Fund [\$16,213]  
Resolution #06-70 C - increasing total appropriations within the Community Events Fund.

MOTION: Bryant Anderson made the motion to adopt Resolution #06-70 C - increasing total appropriations within the Community Events Fund.

SECOND: Scott Cowdell

VOTE: Anderson-Yes, Cowdell- Yes, Fairbanks- Yes, Tenney- Yes,  
Smith- Yes, McCandless- Yes, Saville- Yes

**MOTION PASSED**

7 in favor

16. Increasing Total Appropriations within the Amphitheater Fund [\$30,000]  
Resolution #06-71 C - increasing total appropriations within the Amphitheater Fund.

MOTION: Stephen Smith made the motion to adopt Resolution #06-71 C - increasing total appropriations within the Amphitheater Fund.

SECOND: Scott Cowdell

**VOTE:** Smith- Yes, Cowdell- Yes, Tenney- Yes, Fairbanks- Yes,  
McCandless- Yes, Anderson-Yes, Saville- Yes

**MOTION PASSED**  
7 in favor

17. Reappropriating Unexpended Funds within the Information Services Fund  
Resolution #06-72 C - Reappropriating unexpended funds within the Information Services Fund.

**MOTION:** Stephen Smith made the motion to adopt Resolution #06-72 C - Reappropriating unexpended funds within the Information Services Fund.

**SECOND:** Scott Cowdell

**VOTE:** Smith- Yes, Cowdell- Yes, Tenney- Yes, Fairbanks- Yes,  
McCandless- Yes, Anderson-Yes, Saville- Yes

**MOTION PASSED**  
7 in favor

18. Increasing Total Appropriations within the CDBG Operating Fund  
Resolution #06-73 C - increasing total appropriations within the CDBG Operating Fund.

**MOTION:** Scott Cowdell made the motion to adopt Resolution #06-73 C - increasing total appropriations within the CDBG Operating Fund.

**SECOND:** Dennis Tenney

**VOTE:** Cowdell- Yes, Tenney- Yes, Smith- Yes, Fairbanks- Yes,  
McCandless- Yes, Anderson-Yes, Saville- Yes

**MOTION PASSED**  
7 in favor

19. Reappropriating Unexpended Funds within the Electric Utility Fund  
Resolution #06-74 C - reappropriating unexpended funds within the Electric Utility Fund.

**MOTION:** Scott Cowdell made the motion to adopt Resolution #06-74 C - reappropriating unexpended funds within the Electric Utility Fund.

**SECOND:** Bryant Anderson

**VOTE:** Cowdell- Yes, Anderson-Yes, Tenney- Yes, Fairbanks- Yes,  
McCandless- Yes, Smith- Yes, Saville- Yes

**MOTION PASSED**  
7 in favor

20. Reappropriating Unexpended Funds within the Storm Water Utility Fund  
Resolution #06-75 C - Reappropriating unexpended funds within the Storm Water Utility Fund.

**MOTION:** Scott Cowdell made the motion to adopt Resolution #06-75 C - Reappropriating unexpended funds within the Storm Water Utility Fund.

**SECOND:** Stephen Smith

**VOTE:** Cowdell- Yes, Smith- Yes, Tenney- Yes, McCandless- Yes,  
Fairbanks- Yes, Anderson-Yes, Saville- Yes

**MOTION PASSED**  
7 in favor

21. Reappropriating Unexpended Funds within the Water Fund  
Resolution #06-76 C - reappropriating unexpended funds within the Water Fund.

**MOTION:** Scott Cowdell made the motion to adopt Resolution #06-76 C - reappropriating unexpended funds within the Water Fund.

**SECOND:** Bryant Anderson

**VOTE:** Cowdell- Yes, Anderson-Yes, Tenney- Yes, Fairbanks- Yes,  
McCandless- Yes, Smith- Yes, Saville- Yes

**MOTION PASSED**

7 in favor

22. Reappropriating Unexpended Funds within the Waste Fund [\$15,000]  
Resolution #06-77 C - Reappropriating unexpended funds within the Waste Fund.

**MOTION:** Stephen Smith made the motion to adopt Resolution #06-77 C - Reappropriating unexpended funds within the Waste Fund.

**SECOND:** Dennis Tenney

**VOTE:** Smith- Yes, Tenney- Yes, McCandless- Yes, Cowdell- Yes,  
Fairbanks- Yes, Anderson-Yes, Saville- Yes

**MOTION PASSED**

7 in favor

23. Increasing Total Appropriations within the Fleet Purchases Fund  
Resolution #06-78 C - increasing total appropriations within the Fleet Purchases Fund.

**MOTION:** Stephen Smith made the motion to adopt Resolution #06-78 C - increasing total appropriations within the Fleet Purchases Fund.

**SECOND:** Dennis Tenney

**VOTE:** Smith- Yes, Tenney- Yes, McCandless- Yes, Cowdell- Yes,  
Fairbanks- Yes, Anderson-Yes, Saville- Yes

**MOTION PASSED**

7 in favor

24. Reappropriating Unexpended Funds within the Landscape Maintenance Fund  
Resolution #06-79 C - reappropriating unexpended funds within the Waste Fund.

**MOTION:** Stephen Smith made the motion to adopt Resolution #06-79 C - reappropriating unexpended funds within the Waste Fund.

**SECOND:** Scott Cowdell

**VOTE:** Smith- Yes, Cowdell- Yes, Tenney- Yes, McCandless- Yes,  
Fairbanks- Yes, Anderson-Yes, Saville- Yes

**MOTION PASSED**

7 in favor

25. Reappropriating Unexpended Funds within the Alta Canyon Sports Center Fund  
Resolution #06-80 C - reappropriating unexpended funds within the Alta Canyon Sports Center Fund.

**MOTION:** Stephen Smith made the motion to adopt Resolution #06-80 C - reappropriating unexpended funds within the Alta Canyon Sports Center Fund.

**SECOND:** Bryant Anderson

**VOTE:** Smith- Yes, Anderson-Yes, Tenney- Yes, Fairbanks- Yes,  
McCandless- Yes, Cowdell- Yes, Saville- Yes

**MOTION PASSED**

7 in favor

26. Increasing Total Appropriations within the Recreation Fund [\$16,200]

**Resolution #06-81 C - increasing total appropriations within the Recreation Fund.**

**MOTION:** Stephen Smith made the motion to adopt Resolution #06-81 C - increasing total appropriations within the Recreation Fund.

**SECOND:** Scott Cowdell

**VOTE:** Smith- Yes, Cowdell- Yes, Tenney- Yes, McCandless- Yes,  
Fairbanks- Yes, Anderson-Yes, Saville- Yes

**MOTION PASSED**

**7 in favor**

27. **Reappropriating Unexpended Funds within the Golf Fund** [\$14,633]  
**Resolution #06-82 C - reappropriating unexpended funds within the Golf Fund.**

**MOTION:** Bryant Anderson made the motion to adopt Resolution #06-82 C - reappropriating unexpended funds within the Golf Fund.

**SECOND:** Dennis Tenney

**VOTE:** Anderson-Yes, Tenney- Yes, Cowdell- Yes, Fairbanks- Yes,  
McCandless- Yes, Smith- Yes, Saville- Yes

**MOTION PASSED**

**7 in favor**

**At approximately 8:57 p.m. Dennis Tenney made the motion to adjourn City Council Meeting, motion seconded by Scott Cowdell, and convene into Redevelopment Agency Meeting. (See separate minutes.)**

City Council Meeting was reconvened at approximately 9:00 p.m.

**MINUTES:**

28. **Approving the September 5, 2006, and the September 19, 2006 City Council Meeting Minutes, and the September 19, 2006 Arts Guild Meeting Minutes.**

**MOTION:** Dennis Tenney made the motion adopt the minutes as amended.

**SECOND:** Scott Cowdell

**VOTE:** The Council responded verbally in the affirmative to the motion.

29. **MAYOR'S REPORT:**

a. Provided during Planning Meeting.

30. **CAO'S REPORT:**

a. Provided during Planning Meeting.

31. **COUNCIL OFFICE DIRECTOR'S REPORT:**

a. **Phil Glenn** reminded the Council that Quadrant Meetings will begin again this Fall. The first one scheduled will be held for the Historic Sandy Quadrant, in the old City Hall Gymnasium, on November 21<sup>st</sup>. It will be publicized in the next City Newsletter, which goes out on the 15<sup>th</sup> of November. Mr. Glenn advised the Council that the money is available for laptops for the Council. He indicated that he had already given this information to Mr. Smith and Mr. Fairbanks, and he would provide the same information to the rest of the City Council.

32. **OTHER COUNCIL BUSINESS:**

a. **Linda Martinez Saville** reported that Tyson, the young skate boarder who went to such lengths to get his

skate ramp approved by the Council, has been on TV and in the newspaper for his success in skate boarding. She said she would like to have him come back before the Council to receive a resolution of commendation with regard to his accomplishments as a skate boarder.

**Steve Fairbanks** and **Chris McCandless** agreed.

- b. **Steve Fairbanks** asked if new covers could be purchased for the microphones in the Council Chambers.
- c. **Scott Cowdell** advised the Council that he would be bringing pictures of a unique water park that he visited in Omaha, Nebraska.

**At approximately 9:05 p.m., Dennis Tenney made a motion to adjourn Council Meeting, motion seconded by Chris McCandless.**

**The content of the minutes is not intended, nor are they submitted, as a verbatim transcription of the meeting. These minutes are a brief overview of what occurred at the meeting.**

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**Linda Martinez Saville**  
**Council Chairwoman**

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**Naleen Wright**  
**Council Office Manager**